



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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2009 DEC -7 P 2:14

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Thomasenia P. Duncan
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BY: Sid Rocke *SR*
Assistant General Counsel

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SUBJECT: MUR 6231 (Formally Pre-MUR 481) (Glenn Marshall – Factual and Legal Analysis)

2009 DEC -7 PM 12:48

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CELA

On February 11 2009, Glenn Marshall entered a guilty plea to one count of knowingly and willfully violating the Federal Election Campaign Act of 1971, as amended, ("the Act") by making contributions in the names of others to various political committees. 2 U.S.C. § 441f.

Despite clear evidence that Marshall knowingly and willfully violated the Act, on November 17, 2009, the Commission determined that it would open a matter under review, but that it would not be a prudent use of resources to pursue Marshall, the potential corporate entities, or the conduits in this matter and dismissed MUR 6231 as a matter of prosecutorial discretion and therefore closed the file. *See Heckler v. Chaney*, 470 U.S. 821 (1985).

Attached is a Factual and Legal Analysis that summarizes the Commission's actions. It is being circulated on a 48-hour no-objection basis. The file in this matter,

including the Factual and Legal Analysis, will be placed on the public record within 30 days of closing the file.

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